



Littler Mendelson, P.C.
900 Third Avenue
New York, NY 10022.3298

Christine L. Hogan
212.583.2676 direct
212.583.9600 main
212.898.1116 fax
clhogan@littler.com

September 25, 2017

VIA ECF

Hon. George B. Daniels
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Torres v. The American Museum of Natural History*, 17 CV 2825

Dear Judge Daniels:

We represent Defendants American Museum of Natural History (the "Museum") and Juan Montes in the above-referenced matter. We write in response to Plaintiff's recent correspondence (Dkt No. 29).

First, pursuant to 9(a) of the Procedures of the Mediation Program, prior to the mediation Defendants notified the mediator and Plaintiff that the mediation would be attended by a decision maker from the Museum who had full settlement authority and the individually named Defendant employee of the Museum, Juan Montes, would not attend. The mediation took place as scheduled pursuant to this understanding on September 21, 2017. (See Dkt. No.30). As such, it is our position that Plaintiff's claim that Mr. Montes "defaulted" with respect to the mediation is inaccurate.

Second, Plaintiff misrepresents to the Court that "the parties intend to submit a new proposed case management plan and scheduling order for the Court's review and approval." Plaintiff did not confer with Defendants on this matter, there is no reason to submit any new proposed case management plan or scheduling order, and it is not Defendants' intention to do so.

It is Defendants' hope that in the future such issues can be discussed and resolved by the parties prior to submission of additional correspondence that may burden the Court.

Respectfully submitted,

/s/Christine L. Hogan

Christine L. Hogan
Ivie A. Guobadia

CLH/iag